

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

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IN RE MUTUAL FUNDS INVESTMENT LITIGATION,	:	
	:	MDL No. 1586
THIS DOCUMENT RELATES TO:	:	
	:	Nos. 04-MD-15861-CBB
STARR V. VAN KAMPEN INVESTMENTS, INC., ET AL.	:	04-MD-15862-AMD
	:	04-MD-15863-JFM
05-CV-0502 (JFM)	:	04-MD-15864-FPS
04-MD-15863	:	
	:	
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**MOTION BY PRUDENTIAL SECURITIES INC.  
FOR AN ORDER DISMISSING THE  
DERIVATIVE COMPLAINT**

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Prudential Securities Inc., upon its Memorandum of Law in support of its Motion to Dismiss the Plaintiff's Derivative Complaint, the Common Memorandum of Law in Support of the Broker Dealer Intermediary Defendants' Motion to Dismiss the Consolidated Class Action and Derivative Complaints and the Omnibus Memorandum of Law in Support of the Fund Defendants' Motion to Dismiss Plaintiffs' Consolidated Amended Fund Derivative Complaints (collectively, the "Common Memoranda"), moves this Court for an Order pursuant to Federal Rules of Civil Procedure 12(b) and 23.1 dismissing the Derivative Complaint as against it, in its entirety, with prejudice.

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Dated: New York, New York  
April 4, 2005

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